

## NEED NOT TESTIFY

An Important Decision by the Supreme Court.

### A CASE OF PERSONAL PRIVILEGE

Right of the Interstate Commerce Commission to Compel Witnesses to Give Evidence Denied.

WASHINGTON, Jan. 11.—It has now become settled law that witnesses can not be compelled to testify in any criminal cases where the answers might tend to criminate them in any way or subject them to possible future prosecution. It is held that the fifth amendment to the constitution, giving persons the right to refuse to answer questions which might be used against them in criminal cases, must be construed in its broadest sense.

Such is the effect of the decision of the United States supreme court in the celebrated interstate commerce case of Charles Counselman appellant vs. Frank Hiltchcock, marshal of the district court of the northern district of Illinois. This case is one of great interest to railroad men and has attracted widespread attention.

A celebrated case. Counselman, in the original inquiry, was asked whether he had ever obtained from any railroad a rate on grain shipments lower than the open rate to all shippers. He refused to answer, on the ground that it might criminate him and claimed the protection of the constitutional guarantee conferred by the fifth amendment. Judge Gresham decided against him, and held him in contempt of court for refusing to answer the questions and it is on appeal from Judge Gresham's order that the case decided by the supreme court came up.

The court's ruling is that Judge Gresham's order was erroneous and that Counselman cannot be compelled to testify. It has been said that the effect of a decision by the courts that witnesses cannot be compelled to testify will seriously hamper the interstate commerce commission in the administration of the interstate commerce act. The court's decision was unanimous.

### ALL THE BODIES RECOVERED.

And Physicians and Nurses Tired to Their Utmost in Caring for the Injured. —McALESTER, I. T., Jan. 11.—The complete list of those killed in the Krebs disaster contains fifty-six names. Scores of families are left wholly destitute with no one upon whom to depend for support. Physicians and nurses are taxed to their utmost in the care of the injured. Some miners express the conviction that others are buried under the fallen walls, which have not yet been searched. The mining company officials claim to have accounted for every man employed in the shaft at the time of the explosion and say there certainly are no more victims beneath the ground. It will require about three weeks of hard labor to restore order. No accurate estimate of the damage to the works can be made until it is restored and the debris cleared away. Fifty bodies were buried on Saturday and Sunday.

### SHORT SPECIALS.

The railway trains north of Westmoreland, Pa., are blocked by snowdrifts. Mrs. Laura V. Appleton was awarded \$500,000 from the estate of John Anderson, the late New York tobaccoist. Much opposition is expressed to the distribution of \$10,000 appropriated by the legislature to New York grand army posts.

The Arabic Order of the Nobles of the Mystic Shrine has started a movement to memorialize the death of Egypt's khedive in befitting solemnity. The village of Eichenwaldau, Silesia, has been entirely destroyed by fire. The inhabitants in their homeless and destitute condition, are enduring much suffering.

An attempt was made early Saturday morning by thirty masked men to break into jail at St. Mary's, Kan., and grieve murderer Gouldberry, but a revolver shot scared them away.

The Association of Superintendents and Clerks of the New York post office had a meeting and agreed to ask congress for an eight-hour day and a salary classification law for clerks.

Capt. Lawson, of the British steamer Moorish Prince, which has arrived at quarantine at New York, reports that his members of the crew had been sick with yellow fever, four of whom had died.

Admiral Rodgers' Funeral. —WASHINGTON, Jan. 11.—Funeral services over the remains of Admiral G. H. P. Rodgers were held at St. John's Episcopal church. They were conducted by the rector, Dr. Douglass. There was a very large attendance, including the vice president, Secretary Blaine, Secretary Tracy, Justice Gray, and a number of senators.

Will Call an Extra Session. —JACKSON, Miss., Jan. 11.—Information from a reliable source has come to hand to the effect that an extra session of the Mississippi legislature will be called by Gov. Francis early in February and that the session will be devoted exclusively to the redistricting of the state for congressional purposes.

REAL ESTATE CONGRESS. —Objects of the National Meeting at Nashville, Tenn. —NASHVILLE, Tenn., Jan. 11.—The National Real Estate congress will convene in annual session at Nashville, Tenn., on the 17th day of February. The objects of this meeting is to: To suggest a uniform mode of real estate transfers for all the states; to formulate a plan for enabling the industrial classes to secure homes for themselves; the gathering and discussion of statistics relating to real estate in the United States; the real estate wealth of the United States, including its mineral and timber wealth, and how this wealth can best be utilized and developed for the good of the whole country; and discuss the subject of farm lands and their betterment.

Millied by the Cars. —WASHINGTON, S. D., Jan. 11.—Major Hiram Fellows was accidentally killed by the westbound passenger train on the Chicago & North-western road while crossing the tracks near here Saturday night. Maj. Fellows was a former resident of Dubuque, Ia., and a government surveyor run lines on much of the land in Minnesota and the two Dakotas, and is well known in both states. He lived in Iowa fifty years and figured prominently in politics.

## THE MARKETS.

Grain, Provisions, Etc.

CHICAGO, Jan. 11.  
Flour—Quiet. Spring Wheat Patents, \$4.30; \$4.35; \$4.40; \$4.45; \$4.50; \$4.55; \$4.60; \$4.65; \$4.70; \$4.75; \$4.80; \$4.85; \$4.90; \$4.95; \$5.00; \$5.05; \$5.10; \$5.15; \$5.20; \$5.25; \$5.30; \$5.35; \$5.40; \$5.45; \$5.50; \$5.55; \$5.60; \$5.65; \$5.70; \$5.75; \$5.80; \$5.85; \$5.90; \$5.95; \$6.00; \$6.05; \$6.10; \$6.15; \$6.20; \$6.25; \$6.30; \$6.35; \$6.40; \$6.45; \$6.50; \$6.55; \$6.60; \$6.65; \$6.70; \$6.75; \$6.80; \$6.85; \$6.90; \$6.95; \$7.00; \$7.05; \$7.10; \$7.15; \$7.20; \$7.25; \$7.30; \$7.35; \$7.40; \$7.45; \$7.50; \$7.55; \$7.60; \$7.65; \$7.70; \$7.75; \$7.80; \$7.85; \$7.90; \$7.95; \$8.00; \$8.05; \$8.10; \$8.15; \$8.20; \$8.25; \$8.30; \$8.35; \$8.40; \$8.45; \$8.50; \$8.55; \$8.60; \$8.65; \$8.70; \$8.75; \$8.80; \$8.85; \$8.90; \$8.95; \$9.00; \$9.05; \$9.10; \$9.15; \$9.20; \$9.25; \$9.30; \$9.35; \$9.40; \$9.45; \$9.50; \$9.55; \$9.60; \$9.65; \$9.70; \$9.75; \$9.80; \$9.85; \$9.90; \$9.95; \$10.00; \$10.05; \$10.10; \$10.15; \$10.20; \$10.25; \$10.30; \$10.35; 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\$60.80; \$60.85; \$60.90; \$60.95; \$61.00; \$61.05; \$61.10; \$61.15; \$61.20; \$61.25; \$61.30; \$61.35; \$61.40; \$61.45; \$61.50; \$61.55; \$61.60; \$61.65; \$61.70; \$61.75; \$61.80; \$61.85; \$61.90; \$61.95; \$62.00; \$62.05; \$62.10; \$62.15; \$62.20; \$62.25; \$62.30; \$62.35; \$62.40; \$62.45; \$62.50; \$62.55; \$62.60; \$62.65; \$62.70; \$62.75; \$62.80; \$62.85; \$62.90; \$62.95; \$63.00; \$63.05; \$63.10; \$63.15; \$63.20; \$63.25; \$63.30; \$63.35; \$63.40; \$63.45; \$63.50; \$63.55; \$63.60; \$63.65; \$63.70; \$63.75; \$63.80; \$63.85; \$63.90; \$63.95; \$64.00; \$64.05; \$64.10; \$64.15; \$64.20; \$64.25; \$64.30; \$64.35; \$64.40; \$64.45; \$64.50; \$64.55; \$64.60; \$64.65; \$64.70; \$64.75; \$64.80; \$64.85; \$64.90; \$64.95; \$65.00; \$65.05; \$65.10; \$65.15; \$65.20; \$65.25; \$65.30; \$65.35; \$65.40; \$65.45; \$65.50; \$65.55; \$65.60; \$65.65; \$65.70; \$65.75; \$65.80; \$65.85; \$65.90; \$65.95; \$66.00; \$66.05; \$66.10; \$66.15; \$66.20; \$66.25; \$66.30; \$66.35; \$66.40; \$66.45; \$66.50; \$66.55; \$66.60; \$66.65; \$66.70; \$66.75; \$66.80; \$66.85; \$66.90; \$66.95; \$67.00; \$67.05; \$67.10; \$67.15; \$67.20; \$67.25; \$67.30; \$67.35; \$67.40; \$67.45; \$67.50; \$67.55; \$67.60; \$67.65; \$67.70; \$67.75; \$67.80; \$67.85; \$67.90; \$67.95; \$68.00; \$68.05; \$68.10; \$68.15; \$68.20; \$68.25; \$68.30; \$68.35; \$68.40; \$68.45; \$68.50; \$68.55; \$68.60; \$68.65; \$68.70; \$68.75; \$68.80; \$68.85; \$68.90; \$68.95; \$69.00; \$69.05; \$69.10; \$69.15; \$69.20; \$69.25; \$69.30; \$69.35; \$69.40; \$69.45; \$69.50; \$69.55; \$69.60; \$69.65; \$69.70; \$69.75; \$69.80; \$69.85; \$69.90; \$69.95; \$70.00; \$70.05; \$70.10; \$70.15; \$70.20; \$70.25; \$70.30; \$70.35; \$70.40; \$70.45; \$70.50; \$70.55; \$70.60; \$70.65; \$70.70; \$70.75; \$70.80; \$70.85; \$70.90; \$70.95; \$71.00; \$71.05; \$71.10; \$71.15; \$71.20; \$71.25; \$71.30; \$71.35; \$71.40; \$71.45; \$71.50; \$71.55; \$71.60; \$71.65; \$71.70; \$71.75; \$71.80; \$71.85; \$71.90; \$71.95; \$72.00; \$72.05; \$72.10; \$72.15; \$72.20; \$72.25; \$72.30; \$72.35; \$72.40; \$72.45; \$72.50; \$72.55; \$72.60; \$72.65; \$72.70; \$72.75; \$72.80; \$72.85; \$72.90; \$72.95; \$73.00; \$73.05; \$73.10; \$73.15; \$73.20; \$73.25; \$73.30; \$73.35; \$73.40; \$73.45; \$73.50; \$73.55; \$73.60; \$73.65; \$73.70; \$73.75; \$73.80; \$73.85; \$73.90; \$73.95; \$74.00; \$74.05; \$74.10; \$74.15; \$74.20; \$74.25; \$74.30; \$74.35; \$74.40; \$74.45; \$74.50; \$74.55; \$74.60; \$74.65; \$74.70; \$74.75; \$74.80; \$74.85; \$74.90; \$74.95; \$75.00; \$75.05; \$75.10; \$75.15; \$75.20; \$75.25; \$75.30; \$75.35; \$75.40; \$75.45; \$75.50; \$75.55; \$75.60; \$75.65; \$75.70; \$75.75; \$75.80; \$75.85; \$75.90; \$75.95; \$76.00; \$76.05; \$76.10; \$76.15; \$76.20; \$76.25; \$76.30; \$76.35; \$76.40; \$76.45; \$76.50; \$76.55; \$76.60; \$76.65; \$76.70; \$76.75; \$76.80; \$76.85; \$76.90; \$76.95; \$77.00; \$77.05; \$77.10; \$77.15; \$77.20; \$77.25; \$77.30; \$77.35; \$77.40; \$77.45; \$77.50; \$77.55; \$77.60; \$77.65; \$77.70; \$77.75; \$77.80; \$77.85; \$77.90; \$77.95; \$78.00; \$78.05; \$78.10; \$78.15; \$78.2